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## HEALTH & FAMILY WELFARE DEPARTMENT

### NOTIFICATION

The 9th July, 2013

No. 19995-Ayur-M-19/2013- /H.— In exercise of the powers conferred by the proviso to the Article 309 of the Constitution of India, the Governor of Odisha is pleased to make the following rules regulating the method of recruitment and conditions of service of the persons appointed to the different grades of Odisha Ayurvedic Medical Service , namely:—

### PART-I

#### PRILIMINARY

#### 1. Short title and commencement:

(1) These rules may be called the Odisha Ayurvedic Medical Service, (Method of Recruitment and Conditions of Service ) Rules, 2013.

(2) They shall come into force on the date of their publication in the *Odisha Gazette*.

#### 2. Definitions: (1) In these rules, unless the context otherwise requires,—

- (a) "**Commission**" means the Odisha Public Service Commission;
- (b) "**Committee**" means the Departmental Promotion Committee constituted under rule 10;
- (c) "**Council**" means the Odisha State Council of Ayurvedic Medicine constituted under the Odisha Ayurvedic Medicine Act,1960, (14 of 1960);
- (d) "**Ex-servicemen**" means persons as defined in the Odisha Ex-servicemen (Recruitment to State Civil Services and Posts) Rules, 1985;
- (e) "**Government**" means Government of Odisha;

- (f) **"Persons with Disabilities (or Physically Handicapped Persons)"** means persons who would have been granted a disability certificate by the Competent Authority as per the provisions of rule 4 of the Persons with Disabilities (Equal Opportunities, Protection of Right and Full Participation) Odisha Rules, 2003;
- (g) **"Scheduled Caste and Scheduled Tribes"** means such Castes and Tribes as notified by the President of India from time to time under Articles 341 and 342 of the Constitution of India, respectively;
- (h) **"SEBC"** means the Socially and Educationally Backward Classes as referred to in clause(e) of Section 2 of the Odisha Reservation of posts and services (For Socially and Educationally Backward Classes) Act, 2008;
- (i) **"Service"** means the Odisha Ayurvedic Medical Services;
- (j) **"Sports Person"** means persons who would have been issued with identity card of person sports by the Director, Sports as per the Resolution No. 24808/Gen. dated 18th November 1985 of General Administration Department;
- (k) **"State"** means the State of Odisha, and
- (l) **"Year"** means the Calendar Year.

(2) All other words and expressions used in these rules but not specifically defined shall, unless the context otherwise requires, have the same meaning as respectively assigned to them in the Odisha Service Code.

**3. Constitution of Service:** The Service shall constitute the following grades, namely:—

- (i) the Ayurvedic Medical Officers, Drug Inspectors(ISM), Scientific Officer (Ayurveda) and Specialists in Government Ayurvedic Hospitals in Group-‘B’ Service and such other equivalent posts as would be included by Government from time to time;
- (ii) the posts of District Ayurvedic Medical Officer, Deputy Superintendent of Government Ayurvedic Hospital and Superintendent of the Ayurvedic Pharmacies in Group-‘A’ (Junior Branch) Grade and such other equivalent posts as would be determined by the Government from time to time;
- (iii) the post of the Deputy Director, (Ayurveda) office of the Directorate of AYUSH in Group-‘A’ (Senior Branch) Grade and such other posts as would be decided by the Government from time to time;

## PART-II

### METHOD OF RECRUITMENT

#### 4. Method of recruitment:

(1) Subject to the provisions made in these rules; recruitment to different grades in the service shall be made by the following methods, namely:—

- (a) recruitment to Group “B” post of the service i.e. for the post of Ayurvedic Medical Officer shall be made through direct recruitment by the Commission to be held once in a year;
- (b) recruitment to Group “B” post of the service i.e. for the post of Drug Inspector (Ayurveda) shall be made through direct recruitment by the Commission;
- (c) recruitment to Group “B” post of the service i.e. the Scientific Officer (ISM) shall be filled up by the candidates having P.G. degree in respective subjects (i.e. Pharmacy/Rasashastra/Dravyaguna) through direct recruitment by the Commission:

Provided that the post of Durgs Inspector (ISM) and Scientific Officer being single posts in their respective cadre i.e. the ex-cadre posts, they shall give an undertaking to the effect that he/she shall not claim for any promotion in other cadre of the service at the time of appointment.

- (d) recruitment to Group “B” post of the service i.e. Specialist in Government Ayurvedic Hospital shall be filled up by the Ayurvedic Medical Officers (AMO) having P.G. qualification in concerned subject. They shall be provided with a special pay as would be decided by the Govt. from time to time and will be promoted to Group-‘A’ (Junior Branch) as provided under Rule -9(1).

**5. Reservations:** Notwithstanding anything contained in these rules reservation of vacancies for—

- (a) Scheduled Castes and Scheduled Tribes shall be made in accordance with the provisions of the Odisha Reservation of Vacancies in the Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made thereunder; or any other law or rule in force at the relevant time; and
- (b) SEBC, Women, Sportsmen, Ex- Servicemen and Physically Handicapped Persons shall be made in accordance with the provisions made under such Act, rules, orders or instructions issued in this behalf by the Government from time to time.

## PART-III

## DIRECT RECRUITMENT

### 6. Procedure for Direct Requirement:—

(1) The Government shall intimate in each year the total vacancy position to the Commission during the recruitment year in the last week of January indicating the posts to be reserved for different reserved category of candidates mentioned under rule-5.

(2) The Commission shall, on receipt of the vacancy position from the Government, invite applications from the eligible candidates in such manner as may be decided by them.

**7. Eligibility Criteria:** In order to be eligible for appointment to the service by directed recruitment a candidate must fulfill the following conditions, namely:—

- (a) he must be a citizen of India;
- (b) he must have attained the age of 21 years and must not be above 32 years on the 1st day of January of the year in which the applications are invited by the Commission:

Provided that the upper age limit in respect of reserved categories of candidates referred to in rule 5 shall be relaxed in accordance with the provisions of the Act, rules, orders or instructions, for the time being in force, for the respective categories.

- (c) he must be able to read, write and speak Odia; and have—
  - (i) passed Middle School examination with Odia as a language subject; or
  - (ii) passed Matriculation or equivalent examination with Odia as medium of examination in non-language subject; or
  - (iii) passed in Odia as language subject in the final examination of Class VII or above; or
  - (iv) passed a test in Odia in Middle School Standard conducted by the Board of Secondary Education, Odisha / School & Mass Education Department;
- (d) he must possess a Bachelor Degree in Ayurvedic Medicine and Surgery (BAMS) or equivalent Degree from an University or Institution recognised by the Central Council of Indian Medicine. He must have registered himself/herself under the Odisha State Council of Ayurvedic Medicines;
- (e) he/she if married, must not have more than one spouse living:

Provided that the State Government may, if satisfied, that such marriage is permissible under the personal law applicable to such person or there are other grounds for doing so, exempt any person from the operation of this rule;

- (f) he must be of sound mental and physical health, good physique and active habits and free from organic defects or bodily infirmity and communicable diseases which would likely to interfere with his/her discharge of his /her duties in the service. A candidate, who after such medical examination is not found to satisfy those requirements, shall not be appointed to the service.

#### **8. Method of Recruitment to Group –“B” posts:**

(1) The Government shall intimate to the Commission the number of vacancies of Ayurvedic Medical Officer, Drugs Inspector, Scientific Officer likely to occur in that year, indicating therein the number of posts required to be filled up by way of reservations of posts for persons belonging to different categories.

(2) On receipt of the intimation, the Commission shall publish advertisement at least in two vernacular daily newspapers having wide circulation in Odisha, inviting applications for selection.

(3) The application forms, the manner of submission of application, the documents required to be accompanied with the application form, fee required and scrutiny of applications shall be as may decided by the Commission.

(4) Recruitment for post Ayurvedic Medical Officer by the OPSC shall be based on career marking and written test conducted in the manner provided in these rules and in accordance with the syllabus as specified in **Appendix –“A”**.

- (a) Career marking shall be for 30% (10% each for class -10th, class-12th and BAMS) and 70 % for written test.

- (b) Computerized question paper for objective, multiple test shall be prepared by the Commission at their level. But, questions will be as per the Bachelor of Ayurvedic Medicine and Surgery (BAMS) curriculum.

(5) The Commission shall prepare a list of candidates in order of merit on the basis of career marking and written test which shall be equal to the number of advertised vacancies:

Provided that, if two or more candidates secure equal marks then the candidate securing higher marks in BAMS Examination shall find place above the others in the merit list and in case marks obtained in BAMS Examination is also the same, the candidate elder in age shall be placed above the younger.

(6) The list recommended by the Commission shall remain valid for one year from the date of the recommendation or till the next recruitment made by the Commission.

#### **PART-IV**

#### **PROMOTION**

##### **9. Eligibility Criteria for Promotion:**

(1) Appointment to the posts in Group “A” (Junior Branch) of the service shall be made by promotion from among the officers of Group –“B”, who have completed not less than five Years of continuous service on the 1st day of January of the year in which the promotion is made.

(2) Appointment to the post in Group-‘A’ (Senior Branch) shall be made by way of promotion from among the officers in Group-‘A’ (Junior Branch) of the service. In order to be eligible for promotion, an officer in Group-“A”(Junior Branch) must have 03 years of continuous / regular service as such on the 1st day of January of the year in which the promotion is made.

##### **10. Constitution of Departmental Promotion Committee (DPC):—**

(1) There shall be a committee constituting of the following members to consider the cases of promotions to the higher grades, with the following members, namely:—

- (i) Chief Secretary or Development .. Chairman  
Commissioner, I/c of Health & Family  
Welfare Department.
- (ii) Secretary to Government of Health & .. Member  
Family Welfare Department.
- (iii) Director, AYUSH, Odisha, Bhubaneswar. .. Member
- (iv) An officer not below the rank of  
Deputy Secretary to Government,  
in-charge of the establishment .. Member-Convener  
of the service.

(2) The recommendation of the Committee shall be valid and can be operated upon notwithstanding the absence of any one of its members other than the Chairman:

Provided that the member so absents was duly invited to attend the meeting of the Committee and majority of members of the Committee attended the meeting.

### **11. Procedure for Selection by the Committee:—**

(1) The Committee shall meet atleast once in a year preferably in the month of January to prepare a list of officers, suitable for promotion to the next higher grade taking into account the existing vacancies, if any, and anticipated vacancies of the year.

(2) The Committee while considering the promotion cases of suitable officers and preparation of the list shall follow the provisions of—

- (a) the Odisha Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made there under; whenever required,
- (b) the Odisha Civil Services (Zone of Consideration for Promotion) Rules, 1988,
- (c) the Odisha Civil Services (Criteria for Promotion) Rules, 1992 and,
- (d) the Odisha Civil Services (Zone for Selection for Appointment including Promotion) Rules, 2003.

### **12. Consultation with the Commission:—**

(1) The recommendations of the Committee under sub-rule (2) of rule-10 shall be referred to the Commission for concurrence alongwith a list of all eligible candidates, together with the service particulars relating to their academic qualification and experience, if any.

(2) The Commission shall consider the list alongwith the service particulars received under sub-rule (1) and shall furnish its recommendations to the Government.

### **13. Select List:—**

(1) The merit list prepared by the Commission under rule 8 and the recommendations of the Commission in respect of reference made to it under sub-rule (1) of rule 12 shall be considered by Government and the list approved by Government shall form the select list.

(2) The select list shall ordinarily remain in force for a period of one year from the date of its approval by the Government or until another select list is prepared afresh, whichever is earlier.

(3) Appointment to the service shall be made in the order the names of the persons appear in the select list:

Provided that State Government may at any time, in consultation with the commission for grave lapse in the conduct on the part of any person remove his/her name from the list.

## **PART-V**

### **OTHER CONDITIONS OF SERVICE**

#### **14. *Inter se*-Seniority:**

The *inter se* -seniority of the persons appointed to any service in a particular year shall be determined in the order in which their names appear in the select list.

#### **15. Probation:**

(1) Every person appointed in the service by direct recruitment shall be on probation for a period of two years and in case of appointment on promotion shall be on probation for a period of one year from the date of joining the post:

Provided that the appointing authority may, if think fit in any case or class of cases, extend or relax the period of probation:

Provided further that such period of probation shall not include:

- (a) Extra ordinary leave;
- (b) Period of un-authorized absence; or
- (c) Any other period held to be not being on actual duty.

(2) The appointment of probationers may for good and sufficient reasons to be recorded in writing, be terminated by Government at any time without previous notice during the period of probation including extension of such period.

#### **16. Confirmation:**

A probationer after completing the period of probation to the satisfaction of Government shall be confirmed by order of the Government in consultation with the Commission, subject to availability of the permanent vacancy in the respective grade of the service.

#### **17. Other conditions of Service:**

The conditions of service with regard to matters not covered by these rules shall be same as or as may be from time to time prescribed by the State Government.

## **PART-VI**

### **MISCELLANEOUS**

#### **18. Relaxation:**

When it is considered by the Government that it is necessary or expedient so to do in the public interest, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules in respect of any class or category of the employees.



**19. Repeal and Savings:**

All rules, regulations, instructions or order which are in force, before the commencement of these rules in respect of matters relating to the service and covered by these rules are here by repealed:

Provided that any order or appointment made, action taken or things done under the rules, regulations, instructions or orders so repealed shall be deemed to have been made, taken or done under the corresponding provisions of these rules.

**20. Interpretation:**

If any question arises relating to the interpretation of these rules it shall be referred to the Government, whose decision thereon shall be final.

**ORDER**

Ordered that, the Notification be published in the Extra ordinary issue of *Odisha Gazette* for general information.

By Order of the Governor

P.K. MOHAPATRA

Principal Secretary to Government

**APPENDIX-A**

[See Rule-8(4)]

**(Recruitment of Ayurvedic Medical Officers)**

The written examination shall be of two papers carrying 100 marks each with a duration of one and half hour for each paper. The questions will be objective type of multiple choice (100 questions of one mark each ) on the following subjects.

**Paper -1**

(a) Rog Vigyan & Vikritivigyan	...	20 marks
(b) Rasashastra and Bhaisajya kalpana	...	20 marks
(c) Dravyagunavigyan	...	20 marks
(d) Kriya Sharira	...	05 marks
(e) Rachana Sharira	...	05 marks
(f) Swastha Vritta	...	05 marks
(g) Agada Tantra, Vyavahar Ayurveda & Vidhi Vaidyak	...	05 marks
(h) Astanga Hridaya(Sutrasthana)	...	15 marks
(i) Ayurveda Itihas	...	05 marks
<b>TOTAL</b>	<b>...</b>	<b>100 marks</b>

**Paper-II**

(a) Charaka	...	20 marks
(b) Kayachikitsa	...	20marks
(c) Shalyatantra	...	15 marks
(d) Shalakyatrantra	...	10 marks
(e) Prasuti tantra & Srti Roga	...	10 marks
(f) Kaumaraviritya	...	10 marks
(g) Panchakarama	...	15 marks
<b>TOTAL</b>	<b>...</b>	<b>100 marks</b>

- NOTE:** (I) A candidate shall answer the papers in English unless otherwise directed .  
 (II) The qualifying marks is 50% for UR & SEBC candidates and 45% for PH category and 40 % for ST & SC category of candidates.